IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY LILY   :   CIVIL ACTION
                            :

v.   :
                            :   NO. 02-cv-02784
                            :

ALDI, INC.   :

<u>ORDER</u>

AND NOW, this 25th day of November, 2002, it is hereby ORDERED that:

1.   Plaintiff's expert report(s) shall be exchanged no later than February 3, 2003. Defendant's expert report(s) shall be exchanged no later than March 17, 2003.

2.   All discovery shall be completed no later than April 1, 2003.

3.   All dispositive motions shall be filed no later than April 15, 2003; responses to such motions shall be filed no later than April 30, 2003. The Parties may file supplemental briefs, however, such filings will not necessarily delay the Court's ruling on the subject motion.

4.   A settlement conference will be scheduled with Magistrate Judge Charles B. Smith upon the request of counsel.

5.   This case will be placed in the Court's trial pool on June 2, 2003. Once placed in the trial pool, a case may be called upon 24 hours notice to Counsel.

6.   Originals of all filings required under this Order shall be filed with the Clerk of the Court, and a courtesy copy of the same shall be submitted to the chambers of the Honorable R. Barclay Surrick (Room 5118).

7.   Deadlines for the exchange of trial exhibits and witness lists, motions in limine and other pretrial submissions will be set by further Order of this Court.

8.   The unavailability of any witness, as defined in Federal Rule of Civil Procedure 32(a)(3), will not be a ground to delay the commencement or progress of an ongoing trial. A party may, however, use oral or videotape depositions at trial of any witness whose testimony a party believes essential to the presentation of that party's case, regardless of whether that witness is a party, a non-party or an expert, provided that such witness, including any witness offered for purpose of impeachment, has been identified to all parties at least thirty (30) days prior to the discovery deadline.

BY THE COURT:

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R. Barclay Surrick, Judge